

### **REMARKS**

Claims 1-51 are pending in the application.

Claims 5-8 have been rejected under 35 U.S.C. 112, second paragraph. It is believed the amendments to the claims overcome these rejections.

Claims 1-2 and 4-10 have been rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent Application Publication No. 2002/0098935 to Danhauer et al. ("Danhauer") in view of U.S. Patent No. 4,498,891 to Mashimo et al. ("Mashimo"). This rejection is respectfully traversed as follows.

Neither Danhauer nor Mashimo teaches or suggests a toothed belt adapted to operate in direct contact with oil or partially immersed in oil, as recited in independent claim 1. The belts disclosed in Danhauer and Mashimo cannot operate in direct contact with oil; they operate in dry conditions, without being immersed in oil or in contact with oil.

Applicants respectfully submit that the claimed toothed belt satisfies a long-felt need for a toothed belt capable of operating effectively for its lifetime in contact with oil, for example, in drive system applications. While many drive systems use gears or chains, it would be desirable to substitute toothed belts because of the greater meshing precision they provide. However, a toothed belt suitable for such a system would have to operate effectively in contact with oil because of the oil present in most drive systems. Before the present invention, to Applicant's knowledge none of the proposed toothed belts were able to resist the duration tests, and therefore there have not been toothed belts in the automotive market. The toothed belts of the present invention were duration tested and resisted at least 80,000,000 cycles. *See* Published Application at paragraphs 80-82.

Claims 11-12 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Danhauer in view of Mashimo, as applied to claim 1 and further in view of U.S. Patent No. 6,945,891 to Knutson ("Knutson"). This rejection is respectfully traversed as follows. Claims 11 and 12 depend either directly or indirectly from independent claim 1, which is believed patentable over Danhauer and Mashimo for at least the reasons discussed above. It is respectfully submitted that Knutson does not make up for the deficiencies of Danhauer and Mashimo.

Claims 13-14 have been rejected under 35 U.S.C. 103(a) as unpatentable over Danhauer in view of Mashimo and Knutson, as applied to claim 12 and further in view of U.S. Patent No. 7,396,884 B2 to Achten ("Achten"). This rejection is respectfully traversed as follows. Claims 13 and 14 depend either directly or indirectly from independent claim 1, which is believed patentable over Danhauer, Mashimo and Knutson for at least the reasons discussed above. It is respectfully submitted that Achten does not make up for the deficiencies of Danhauer, Mashimo and Knutson.

Claims 15-18 have been rejected under 35 U.S.C. 103(a) as unpatentable over Danhauer in view of Mashimo, as applied to claim 1 and further in view of U.S. Patent No. 7,056,249 B1 to Osaka et al. ("Osaka"). This rejection is respectfully traversed as follows. Claims 15-18 depend either directly or indirectly from independent claim 1, which is believed patentable over Danhauer and Mashimo for at least the reasons discussed above. It is respectfully submitted that Osaka does not make up for the deficiencies of Danhauer and Mashimo.

Claim 23 has been rejected under 35 U.S.C. 103(a) as unpatentable over Danhauer in view of Mashimo and Osaka, as applied to claim 22 and further in view of Knutson. This rejection is respectfully traversed as follows. Claim 23 depends indirectly from independent claim 1, which is believed patentable over Danhauer, Mashimo and Osaka for at least the reasons discussed above. It is respectfully submitted that Knutson does not make up for the deficiencies of Danhauer, Mashimo and Osaka.

Claim 24 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Danhauer in view of Mashimo and Osaka, as applied to claim 1 and further in view of U.S. Patent No. 5,306,213 to Nakajima et al. ("Nakajima"). This rejection is respectfully traversed as follows. Claim 24 depends from independent claim 1, which is believed patentable over Danhauer, Mashimo and Osaka for at least the reasons discussed above. It is respectfully submitted that Nakajima does not make up for the deficiencies of Danhauer, Mashimo and Osaka.

Claims 1-3 and 25 have been rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent Application Publication No. 2004/0033857 to Welk et al. ("Welk") in view of Mashimo. This rejection is respectfully traversed as follows. Welk does not teach or suggest a toothed belt adapted to operate in direct contact with oil or partially immersed in oil, as recited in independent claim 1, or a toothed belt for maintaining use in oil-wet condition, as recited in independent claim 25. The belts disclosed in Welk and Mashimo cannot operate in direct contact with oil; they operate in dry

conditions, without being immersed in oil or in contact with oil. As discussed in detail above, Applicants respectfully submit that the claimed toothed belt satisfies a long-felt need for a toothed belt capable of operating effectively for its lifetime in contact with oil, for example, in drive system applications.

Claims 11-12 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Welk in view of Mashimo, as applied to claim 1 and further in view of Knutson. This rejection is respectfully traversed as follows. Claims 11-12 depend either directly or indirectly from independent claim 1, which is believed patentable over Welk and Mashimo for at least the reasons discussed above. It is respectfully submitted that Knutson does not make up for the deficiencies of Welk and Mashimo.

Claims 13-14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Welk in view of Mashimo and Knutson, as applied to claim 12 and further in view of Achten. This rejection is respectfully traversed as follows. Claims 13 and 14 depend either directly or indirectly from independent claim 1, which is believed patentable over Welk, Mashimo and Knutson for at least the reasons discussed above. It is respectfully submitted that Achten does not make up for the deficiencies of Danhauer, Mashimo and Knutson.

Claims 15-18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Welk in view of Mashimo, as applied to claim 1 and further in view of Osaka. This rejection is respectfully traversed as follows. Claims 15-18 depend either directly or indirectly from independent claim 1, which is believed patentable over Welk and Mashimo for at least the reasons discussed above. It is respectfully submitted that Osaka does not make up for the deficiencies of Welk and Mashimo.

Claims 22-23 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Welk in view of Mashimo and Osaka, as applied to claim 15 and further in view of Knutson. This rejection is respectfully traversed as follows. Claims 22-23 depend indirectly from independent claim 1, which is believed patentable over Welk, Mashimo and Osaka for at least the reasons discussed above. It is respectfully submitted that Knutson does not make up for the deficiencies of Welk, Mashimo and Osaka.

Claim 24 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Welk in view of Mashimo, as applied to claim 1 and further in view of Nakajima. This rejection is respectfully

traversed as follows. Claim 24 depends from independent claim 1, which is believed patentable over Welk and Mashimo for at least the reasons discussed above. It is respectfully submitted that Nakajima does not make up for the deficiencies of Welk and Mashimo.

Claim 26 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Welk in view of Mashimo, as applied to claim 25 and further in view of U.S. Patent Application Publication No. 2004/0127316 A1 to Hashimoto et al. ("Hashimoto"). This rejection is respectfully traversed as follows. Claim 26 depends from independent claim 25, which is believed patentable over Welk and Mashimo for at least the reasons discussed above. It is respectfully submitted that Hashimoto does not make up for the deficiencies of Welk and Mashimo.

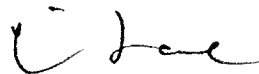
The Examiner's attention is directed to new claim 51, which recites a toothed belt having resistant inserts produced from glass fibre and carbon fibre. It is believed that the cited references do not teach or suggest this feature.

### **Conclusion**

It is believed that all objections and rejections in the application have been addressed and that the present application is in condition for allowance. A favorable reconsideration and allowance of the pending claims is solicited. If necessary, the Commissioner is hereby authorized in this and concurrent replies to charge payment (or credit any overpayment) to Deposit Account No. 50-2298 for any additional required fees.

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Respectfully submitted,



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